

Def & Ref

27 APR 2007 11:45



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shoji NIKI
 Appln. No. : 10/567,446
 (U.S. National Stage of PCT/JP2004/011493)
 I.A. Filed : August 4, 2004
 For : PHOTOMETER

Confirmation No. 5044

REQUEST FOR REFUND

Commissioner for Patents
 U.S. Patent and Trademark Office
 Customer Service Window, Mail Stop 16
 Randolph Building
 401 Dulany Street
 Alexandria VA 22314

Sir:

Applicant respectfully requests a refund in the amount of \$120.00 that was charged to our Deposit Account No. 19-0089 on January 19, 2007 in connection with the filing of the Response to Ex Parte Quayle Action on January 3, 2007.

The basis of this Request for Refund is that the account was incorrectly charged for the filing of an Extension of Time on January 3, 2007, when such an extension was not required.

Specifically, an Ex Parte Quayle action was mailed on November 2, 2006, in which a response was due on January 2, 2007. However, due to the death of President Ford, January 2, 2007 was declared a Federal holiday. Thus, the response was not due until January 3, 2007.

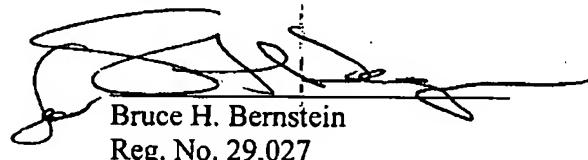
Adjustment Date: 05/10/2007 SDIRETA1
 01/19/2007 JWHITE 00000002 190089 10567446
 01 FC:1251 120.00 CR

P29227.A06

Applicant's response was timely filed on January 3, 2007. Accordingly, no Extension of Time fee was required to be paid.

Please make payment of the refund to Deposit Account No. 19-0089.

Respectfully submitted,
Shoji NIKI



Bruce H. Bernstein
Reg. No. 29,027

March 18, 2007
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